

REMARKS

Upon entry of the foregoing Amendment, claims 2, 4-7, 10, 22-25, and 27-31 are pending in the application. Claims 2, 22, and 28 have been amended; claims 1, 3, 8-9, 11-21, and 26 have been previously cancelled without prejudice or disclaimer; and new claims 29-31 are added. Applicant believes that this Amendment does not add new matter. In view of the foregoing Amendment and following Remarks, allowance of all the pending claims is requested.

By the foregoing Amendment, Applicant has amended and/or cancelled various claims solely for purposes of expediting prosecution of this Application. Applicant expressly reserves the right to prosecute the subject matter of any claim pending prior to the foregoing Amendment, or any other subject matter supported by the Specification, in one or more continuation and/or divisional applications.

Examiner Interview

Applicant thanks Examiner Kumar for granting Applicant's representative the courtesies of an Examiner Interview on June 25, 2009 ("Examiner interview"). During the Examiner interview, Applicant's representative discussed claim 2 in light of the rejections and the references relied upon by the Examiner as set forth below in further detail. In summary, the Examiner agreed with Applicant's representative regarding the claims and reference discussed and indicated that an after-final reply including the foregoing Amendment would be entered.

Rejection Under 35 U.S.C. § 103

The Examiner has rejected claims 2, 4, 5, 10, 22-24, 27 and 28 under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 6,422,941 to Thorner *et al.* ("Thorner") in view of U.S. Patent No. 5,675,709 to Chiba ("Chiba"). The Examiner has rejected claims 6, 7, and 25 in view of Thorner, Chiba, and further in view of U.S. Patent No. 5,842,163 to Fineberg ("Fineberg"). Applicant traverses this rejection because the references relied upon by the Examiner, either alone or in combination with one another, do not teach or suggest all the features of the claimed invention.

More particularly, Thorner does not teach or suggest at least the feature of "analyzing each frequency range by the processor to determine one or more sound features corresponding to at least one of the frequency ranges" as recited by claim 2. Claims 22 and 28 recite similar features. In contrast, as discussed and agreed upon by the Examiner during the Examiner interview, Thorner apparently relates to performing sound processing on different frequency ranges and then combining the frequency ranges for haptic effects based on the combined frequency ranges. See, e.g., *Thorner* at col. 13, lines 43-66. Thus, each frequency range of Thorner is not analyzed to determine one or more sound features as claimed.

The remaining references fail to make up for the deficiencies of Thorner discussed above. For at least this reason, the references relied upon by the Examiner, either alone or in combination with one another, fail to teach or suggest all the features of the claimed invention. Accordingly, the rejection is improper and must be withdrawn.

Claims 4, 5, 10, 23-24, and 27 depend from and add features to one of claims 2, 22, and 28. As such, these dependant claims are not taught or suggested by the references, either alone or in combination with one another, for at least the reasons set forth above with regard to claims 2, 22, and 28. Accordingly, the rejection of these dependant claims is improper and must be withdrawn.

New Claims 29-31

Applicant has newly added claims 29-31, which depend from and add features to one of claims 2, 22, and 28. As discussed and agreed upon by the Examiner during the Examiner interview, Applicant's representative proposed to remove features recited by newly added claims 29-31 from claims 2, 22, and 28. These claims are allowable over the references relied upon by the Examiner for at least the reasons discussed above with regard to claims 2, 22, and 28. As such, allowance of these claims is respectfully requested.

CONCLUSION


Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the Application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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